

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: M. R. Jackson et al. : Group Art Unit: 1742
Application No.: 10/671,851 : Examiner: Jessee R. Roe
Filed: September 26, 2003 : Confirmation No: 1543
For: HIGH-TEMPERATURE COMPOSITE
ARTICLES AND ASSOCIATED METHODS OF
MANUFACTURE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**RESPONSE TO ACTION BY BOARD OF APPEALS,
REGARDING ISSUE OF NON-COMPLIANCE**

Sir:

In regard to the Communication from the Patent Office (Board of Patent Appeals and Interference), which is related to the Appeal Brief filed on July 27, 2007, Applicant submits the attached paper (two pages), in reference to issues regarding independent claim 23.

Applicant emphasizes that the present Response is timely. According to the Board of Appeals communication, Applicant was waiting for action from the Examiner, to formalize the non-compliance statement at the Examiner level. It appears that no e-mail communication from the Examiner was ever electronically delivered or mailed to Applicant. The Examiner's communication, dated (on its face) June 5, 2009, had not been delivered to Applicant, and had only been noticed through a routine check of the PAIR system, during the week of July 27, 2009.